

# In the United States Court of Federal Claims

No. 21-1484 C  
(Filed: June 17, 2021)

\* \* \* \* \*

**WORKHORSE GROUP, INC.,**

Plaintiff,

v.

**THE UNITED STATES,**

Defendant,

and

**OSHKOSH DEFENSE, LLC,**

Defendant-Intervenor.

\* \* \* \* \*

## **SCHEDULING ORDER**

On June 17, 2021, the Court held a telephonic initial status conference in this case. The parties consented to the following schedule:

- On or before **July 6, 2021**, the government shall file a motion to dismiss Plaintiff's complaint under Rule 12(b)(1) of the Rules of the Court of Federal Claims for lack of subject-matter jurisdiction due to Plaintiff's alleged failing to exhaust its administrative remedies. Defendant-Intervenor may also file a brief in support of the government's motion to dismiss.
- On or before **July 20, 2021**, Plaintiff shall file its response to the government's motion to dismiss.
- On or before **July 27, 2021**, the government shall file a reply in support of its motion to dismiss. Defendant-Intervenor may also file a brief in support of the government's motion to dismiss.
- Government shall **FILE** the Administrative Record within one-week of the Court's ruling on the government's motion to dismiss.

The Court may schedule oral argument on the government's aforementioned motion after briefing is complete.

**IT IS SO ORDERED.**

s/ Zachary N. Somers  
ZACHARY N. SOMERS  
Judge